



U.S. Department of Justice

10th & Constitution Avenue, N.W.
Criminal Division
Office of Enforcement Operations

*International Prisoner Transfer Unit
John C. Keeney Building, 12th Floor
Washington, D.C. 20530*

NOV 29 2005

Ms. Ana Gallego
La Subdirectora General de Cooperación
Jurídica Internacional
Ministerio de Justicia
San Bernardo, 62
28015 Madrid
Spain

Re: Diego MasMarques, aka Diego Mas Howard
Reference No. *0TEEU E242/04
Approval of Request to Transfer to the United States Under the
Convention on the Transfer of Sentenced Persons

Dear Ms. Gallego:

The United States has approved the request of the above-referenced American national to be transferred to the United States pursuant to the Council of Europe Convention on the Transfer of Sentenced Persons to serve the balance of his sentence imposed by a court in Spain.

In accordance with Article 6.1 of the Convention, please find the following attachments:

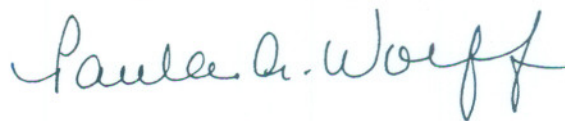
1. Confirmation that the prisoner is a United States national for the purposes of the Convention (Attachment A);
2. Statement as to dual criminality and a copy of the relevant law which provides that the offense for which he is in custody in Spain would constitute a criminal offense if committed in the United States (Attachment B);
3. A statement that the "continued enforcement" provision of the Convention would be applied (Attachment C).

In addition, we have attached two copies of an explanation of the procedures for determining a release date in the United States (Attachment D).

RECORD
CHRON

If Spain agrees to the transfer, please notify this office as soon as possible. Additionally, please provide a copy of Attachment D to the prisoner.

Sincerely,

A handwritten signature in dark ink, appearing to read "Paula A. Wolff". The signature is fluid and cursive, with the first name "Paula" being more prominent.

Paula A. Wolff, Chief
International Prisoner Transfer Unit

Enclosures

cc without attachments:

Steve Sena
U.S. Department of State

Julia Mateo
American Consulate, Barcelona

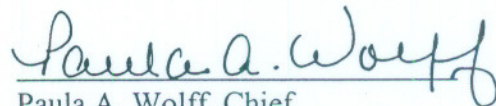
Marisol Morquillas
American Embassy, Spain

Sandy Kaz
U.S. Federal Bureau of Prisons

ATTACHMENT A

STATEMENT OF NATIONALITY

I, Paula A. Wolff, state that Diego MasMarques, aka Diego Mas Howard is a United States national for the purposes of the of the Council of Europe Convention on the Transfer of Sentenced Persons.

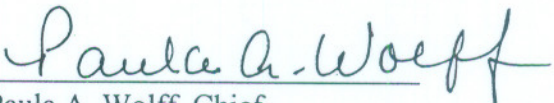
A handwritten signature in cursive script that reads "Paula A. Wolff". The signature is written in dark ink and is positioned above the printed name and title.

Paula A. Wolff, Chief
International Prisoner Transfer Unit

ATTACHMENT B

STATEMENT AS TO DUAL CRIMINALITY

I, Paula A. Wolff, state that the offense for which Diego MasMarques, aka Diego Mas Howard has been sentenced in Spain would constitute a criminal offense if committed in the United States and have attached a copy of the relevant law(s).


Paula A. Wolff, Chief
International Prisoner Transfer Unit

**Title 18, United States Code, Sec. 2111. - Special maritime and territorial jurisdiction
(Robbery)**

Whoever, within the special maritime and territorial jurisdiction of the United States, by force and violence, or by intimidation, takes or attempts to take from the person or presence of another anything of value, shall be imprisoned not more than fifteen years.

(June 25, 1948, Sept. 13, 1994)

Title 18, United States Code, Sec. 1111. - Murder

1. (a) Murder is the unlawful killing of a human being with malice aforethought. Every murder perpetrated by poison, lying in wait, or any other kind of willful, deliberate, malicious, and premeditated killing; or committed in the perpetration of, or attempt to perpetrate, any arson, escape, murder, kidnaping, treason, espionage, sabotage, aggravated sexual abuse or sexual abuse, burglary, or robbery; or perpetrated from a premeditated design unlawfully and maliciously to effect the death of any human being other than him who is killed, is murder in the first degree.

Any other murder is murder in the second degree.

(b) Within the special maritime and territorial jurisdiction of the United States,

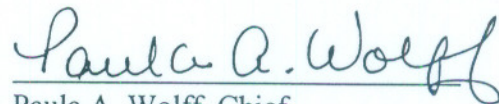
Whoever is guilty of murder in the first degree shall be punished by death or by imprisonment for life;

Whoever is guilty of murder in the second degree, shall be imprisoned for any term of years or for life.

ATTACHMENT C

STATEMENT

The United States will follow the continued enforcement provision found in Article 9.1(a) of the Council of Europe Convention on the Transfer of Sentenced Persons to the United States nationals transferred from Spain to serve their sentences in the United States.

A handwritten signature in dark ink, reading "Paula A. Wolff". The signature is fluid and cursive, with the first name "Paula" and last name "Wolff" clearly legible. The middle initial "A." is smaller and less distinct.

Paula A. Wolff, Chief
International Prisoner Transfer Unit



Federal Bureau of Prisons

November 4, 2005

Name: Diego Mas Marques, aka Diego Mas Howard Date of Birth: Oct., 1964 Date of Offense: December 5, 1999

Offense: Burglary (18 USC 2111); Murder (18 USC 1111)

Term in Effect: 15 years

Date Sentenced: July 17, 2000

Date Arrested: Dec. 5, 1999

Number of Days of Jail Credit: 225

Work/Labor Credits: 0

Good Time Credits: 0

Other Credits: 0

Comments: _____

Sentence Monitoring Independent Sentence Computation

Date Computation Began: July 17, 2000

The actual date the sentence began to run.

Term in effect: Years: 15 Months: 00 Days: 00

Projected Good Conduct Time to Award: 705 Days

If good conduct time is not awarded by the foreign country, the Federal Bureau of Prisons will award good conduct time through the entire sentence. However, if the foreign country does apply good time the inmate will only earn it on the portion of the sentence he/she is in U.S. custody.

Jail Credit From: Dec. 5, 1999

Thru: July 16, 2000

Total number of days: 225

*These are the dates the inmate was in custody prior to the sentence being imposed. Under United States Code Titel 18 §§3585 and 4105 (b) the Bureau of Prisons must give sentence credit for all the time spent in custody which has not been credited to any other sentence.

Projected Statutory Release Date (SRD): Dec. 28, 2012

The Projected Release Date is the day the inmate will release with all credits awarded. Provided he/she complies with all rules of the Federal Bureau of Prisons and he/she does not have Good Conduct Time deducted from his/her sentence.

Estimated Full Term Date (EFT): Dec. 3, 2014

If the inmate serves the entire sentence without the deduction of

any Good Time or Labor/Work credits.